

Saguache County Board of Commissioners met in regular session
Tuesday, March 4, 2008 with the following present:

Sam Pace, Chairman
Linda Joseph, Vice Chairman
Mike Spearman, Commissioner
Ben Gibbons, County Attorney
Wendi Maez, Co-Administrator
Lyn Zimmer, Co-Administrator
Melinda Myers, Secretary and Clerk to the Board

Meeting called to order by Chairman Pace at 9:03 A.M.

Under Additions or Deletions to the Agenda:

1. Add Mike Blenden of USFW – Cooperating Agency status at 10:45PM.
2. Deb Phenicie will be coming in during Mike Blenden's time.

Spearman moved to approve the agenda as amended. Joseph seconded the motion. The vote was three Ayes.

Reading and approval of minutes:

Spearman moved to approve the minutes of February 19, 2008 as amended. Joseph seconded motion. The vote was three ayes.

Review of Mail:

1. **Tammy L. Lopez**, Executive Director of the Foundation Adams State College of Colorado sent a letter thanking Saguache County for partnering with the Adams State College Foundation to make appositive impact in the community through the Colorado Field Institute. (2/19/08)
2. **The Baca Grande Property Owner's Association**, sent the February 2008 Newsletter. This is the 2008 Budget Issue. (2/19/08)
3. **Michael N. Jenkins**, C.A., C.P.A., McMahan and Associates, L.L.C., sent a letter to express their appreciation for the County's use of their firm's professional auditing and consulting services in the past and would welcome the opportunity to provide services to the County again in the future. Mr. Jenkins also offers assistance with the transition to the new auditors. (2/19/08)
4. **The Rio Grande Water Conservation District**, sent the February 2008 Ground Water Table Measurements. A map of the unconfined aquifer well sites in the San Luis Valley was attached. (2/20/08)

Spearman moved to approve an allocation of \$1,050.00 to the SLV Hazardous Substance Board. Joseph seconded the motion. The vote was three Ayes.

5. **Captain L.S. Martin**, Colorado State Patrol, President, San Luis Valley Hazardous Substance Board, Inc. sent a letter as an invoice for the proposed

funds based on the initial information sent to all entities in 2007. A breakdown is attached. (2/20/08)

6. **Colorado Wildland Fire & Incident Management Academy**, Alamosa sent the Summer 2008 Course Schedule of workshops and trainings. Nominations are due by April 1, 2008. (2/20/08)
7. **The Rio Grande Water Users Assn.** sent a Notice of Annual Membership meeting to be held in Monte Vista on Wednesday, March 5, 2008 at 1:30 p.m. at the United Methodist Church. (2/21/08)
8. **Joel Vosburg** President Board of Directors Gunnison County Metropolitan Recreation District sent a letter asking for comments concerning the possibility of excluding the property located within Saguache County from the Gunnison Met District and donating the translator site and all equipment to an interested party. (2/21/08) Maez will research the issue.
9. **Hill Research and George K. Baum & Company** sent an announcement for immediate release. Hill Research joins George K. Baum & Company Team. (2/21/08)
10. **Bernadette Myers**, Office Manager United Country Real Estate, sent copies of recent advertisements that were published in the SLV Lifestyles paper concerning the camp of Iris. (2/25/08)
11. **Ken Jacobson**, Chief, Colorado West Regulatory Branch Department of the Army, sent a copy of a letter that was sent to Ron Bombard stating that the proposed activity on Cochetopa Creek that was requested has been authorized by Permit number 37. The work must comply with the specific conditions that are listed in the letter. (2/25/08)
12. **Peter Lavigne**, Director Colorado Water Workshop, sent information for the Colorado Water Workshop to be held May 14-16, 2008 at Western State College in Gunnison. This year Mining, Energy and Water in the West will be one of the topics. Mr. Lavigne is also asking for sponsors. (2/25/08)
13. **Pikes Peak Area Council of Governments and Pueblo Area Council of Governments** sent the February 2008 edition of the Fountain Creek Watershed Newsletter. (2/26/08)

<p>Spearman moved to set a public hearing for Title III funding for a Conservation Education Program through Rio Grande Watershed Association of Conservation Districts. Joseph seconded the motion. The vote was three Ayes.</p>
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14. **Judy Lopez**, Conservation Education Specialist Rio Grande Watershed Association of Conservation Districts sent a letter thanking Saguache County for continued support of the Conservation Education program. Attached is a billing for 2008.
15. **Karen Hoffner**, Secretary SLV Fair Board sent a letter requesting guidance on how to garner support from Saguache County. Attached is a letter from the San Luis Valley County Commissioners Association to the SLV Fair Board showing that Saguache County will not support funding in 2008 and copies of letters that were sent to successful fair board appointees along with a copy of the By-laws and a letter from Mark Beiriger resigning from his position as

- Saguache County Representative. (2/28/08) Administration will contact the SLV Fair Board to request that they apply for operating funds through the County sales tax grant and Conservation trust funds to buy more panels.
16. **Chris J. Wiant** President & CEO Caring for Colorado sent the final Report on A Dialogue on Improving Public Health. (3/3/08)
 17. **Jim Cochran**, President Gunnison Conservation District sent a dispersal request for funds for 2008. (3/3/08)
 18. **Kim Smoyer**, Program & Development Director ScSeed sent a Charitable Donation Receipt for the 2008 Contribution. (3/3/08)
 19. **Frank Muniz**, Veteran Service Officer for Alamosa County sent a request for the approved amount for veteran's transportation. (3/3/08) Administration will send a letter to determine if the service is utilized by any Saguache County veterans.
 20. **Larry Kallenberger**, Executive Director Colorado Counties, Inc. sent the new 2008 Colorado County Officials Directory. Mr. Kallenberger asks that the 2007 copies be destroyed as they are no longer current. (3/3/08) (BOCC copies are in your boxes in Admin.)
 21. **Lexam/Baca Refuge letters received from the following:**
 1. Sherry Rosenwinkel, Ft. Garland (2/19/08)
 2. Dr. Bonnie M. Orkow, Ph.D., Crestone (2/26/08)
 3. Pavita Decorah, Crestone (2/26/08)
 4. Dr. Eric Karlstrom, Crestone (2/26/08)
 5. William & Barbara Howell, Founders, Sanctuary House, Crestone
 6. Kathleen Ochs, Ph.D. Colorado School of Mines, Golden (2/28/08)
 7. Janet Anderson, RN (2/28/08)
 8. Stephen Anderson, Professor, (2/28/08)
 9. Marika Popovits, Crestone (3/3/08)
 10. Julie Reinhart-Sutherland, Crestone (3/3/08)
 11. Tenzin Yeshe, On behalf of Yeshe Khorolo (3/3/08)
 12. Susan Ryan, Nada Carmelite Hermitage, Crestone (3/3/08)
 13. Malina Feder, Crestone (3/3/08)
 14. Wendy Ross, Crestone (3/3/08)
 15. Vesper Gers, (3/3/08)
 16. Vincent G. and Mary J. Palermo, Crestone (3/3/08)
 17. Dr. David K. Rawlings D.C., Denver (3/3/08)
 18. Annie Pace, S.C.A.I. Shakti Sharanam, Crestone (3/3/08)

Introduction of Guests: Doug Larsen – Crestone Eagle; Erin Minks – Congressman Salazar's Representative; Deb Phenicie – Your Earth Solutions, LLC; Mike Blenden – USFW; Andrew Archeleta & Kristy Murphy – USFS/BLM. Tom Blunt – Saguache County Veteran Officer.

Commissioners' Reports-Updates of Meetings:

Linda Joseph reported:

- February 21- Attended a presentation to the BOCC by Travis Stills on the NEPA process.

- Met with Library Administrator Penny Bruce, Friends of the Library Chair-Kate Vasha, County Administrator-Lyn Zimmer, regarding financial channels and other collaborative library business.
- February 25 - Attended the SLV County Commissioner's meeting in Alamosa. Topics for follow-up include:
 - 1) County contribution for setting of Veteran's headstones
 - 2) Possible transit assistance with bus from Alamosa for Kia/Mia event.
- February 29 - Attended Social Services training for State ordinances re: Adult Protection. Connected there with Esther (last name?) about including elderly/disabled Vets in this event.
- March 1 - Phone call with Jeff Shook during an organizational meeting for Mt. Kia/Mia dedication to let him know of the interest in involving the Valley's older Vets and the potential for bus trips to and from Alamosa during the event.
- March 3 - Attended the Democratic Central Committee meeting in Center.
- Received two bids for the webmaster hosting. The Tourism Council will do the first round of interviews on March 5th and report to the Board at the March 11th meeting.

Sam Pace reported:

- February 21- Attended a presentation to the BOCC by Travis Stills on the NEPA process.
- Attended monthly South Central Seniors board meeting. Concerning the Council for the Aging funds that Elizabeth Hazard has been in control of the past several years, it appears that these funds are to benefit only Saguache County residents and will have to be handled by someone in Saguache County. Pace will meet with some of the Saguache County Seniors to see if they would take over the account. The South Central Seniors are working on finishing up the Daniel's Foundation grant.

Mike Spearman reported:

- Attended the SLV Commissioners Meeting. Saw a presentation on a management strategy for the protection of the willow flycatcher. Current agricultural practices seem to be beneficial to the species.
- Administration will draft a letter to DOLA that Saguache County is in support of the Mineral Impact fund changes.
- Attended an Annual retreat for DRG on Feb 25. The solar station will be here soon. The new starch plant in Center has not applied to Xcel for a gas line, so there may not be enough gas to run it. Spearman is working on determining the easement along Hwy 112 to see if CDOT controls them. Attorney Gibbons will research the issue. At one time agreements between Saguache and Rio Grande County to share the benefits of the pipeline were worked out and these need to be found so the project can move forward. DRG is working on many projects. There is \$4,000,000 in the revolving loan fund for economic development in the San Luis Valley, in which Saguache County is well represented.
- Met with Christian Dillo on the trails into the National Forest to set up a meeting for property owners, agencies and interested parties. Will contact Manitou Foundation to participate in the meeting.

- February 21- Attended a presentation to the BOCC by Travis Stills on the NEPA process.
- Met with Chella Coleman from housing and met one of the new auditors.

Lynn Zimmer and Wendi Maez - CO-Administrators:

- Zimmer spoke with Tom Blunt, the County Veteran's officer, regarding the headstones for veterans who have been buried in Saguache County. This is a follow up item from the Valley Board of Commissioners on Feb. 25, 2008. Mr. Blunt will see how many headstones need to be placed and he will also take care of arranging the placement of the headstones. We are awaiting his report on the number of stones to be placed.
- Received a letter from the Friends of the Library regarding the painting that was removed from the Library for an appraisal. A copy of the letter was emailed to each board member last week. Rio Grande Museum was contacted to see who does their appraisals and they said that they thought that CTSI did the appraisals. According to CTSI they appraised the buildings but not the contents. The contents are insured for up to \$75 million; however it would be difficult to be reimbursed without the appraised schedule. Maez has spoken with Treasurer Trujillo and the painting will be held in her vault upstairs so that it can be secured 24 hours a day per the Friends request. Administration will contact Taos Art Museum for an appraiser.
- As of Feb. 26, 2008, SLV Seniors had not sent the Daniel's Fund grant request. Frances was not available to speak to but the bookkeeper said they were still working on some numbers before sending it off. They were going to try and get it out by this Friday. Rebie Hazard has emailed Frances requesting a response regarding the grant request to Daniel's Fund. This is a follow-up item from Feb. 12, 2008.
- Follow up for Feb. 12, 2007 on the water table for year end Dec. 31, 2007 was emailed and forwarded to the Board on Feb. 26, 2008.
- With the transfer of \$60,000 to nursing fund at the end of February, cash on hand is alright, but we will need to continue to monitor the revenue to assure that the nursing fund stays solvent. Administration has been working with Lynne Hammel in the Treasurer's office, keeping eye on the amount of money coming into that fund. Received an email from SCPH Director Newsom stating that upon her return to the office she will prepare a report with revenues and expenditures according to her records. The reports received by the BOCC are from the financial software in the administration office. Expenditures are from payroll and vouchers received from nursing and the revenues are the monies actually received by the County Treasurer.
- Wendi Maez, Lyn Zimmer, April Quintana, Iris Garcia, Randy Arredondo, Chella Coleman, Reba Mathias and Mike Norris attended a Worker's Comp meeting with CTSI on Feb. 28, 2008 in the administration office. CTSI went over the new changes that the County will have to comply with for workers comp. Nursing, Library, Assessor, Treasurer, or the Clerk's office did not have anyone available to attend due to short notice. Quintana will be following up with these

departments and go over the changes, and then if needed will arrange another meeting.

- Housing sign is up at Blue Waters Haciendas.
- The County's Policy book needs to be updated, and record of acknowledgment of having read the policies should be signed by each employee and elected official.

Break

Wendi Maez - Land Use Administrator

- Fritz Russell - attorney for the Fullmers has sent a counter offer for the 1/6 interest in Vulcan Mining Claim that Saguache County owns. Maez forwarded the letter to the Board and Attorney Gibbons. Although they offered to agree to no surface disturbance on the Saguache 1/6th, Gibbons questioned whether mining on the portions on the Gunnison side could involve tunneling under the property. Maez will send a letter reaffirming the counter offer to sell the property without the mineral rights.
- Lidian L. King would like to re-subdivide her previously vacated lots into 2 separate parcels and add a couple of lots to them. Maez spoke with Ms. King and informed her that she would need to do a subdivision exemption to subdivide the parcels and add the additional lots. The cost for the applications is \$1490.51. The Land Development code says "Consolidated lots may not be re-subdivided except by subdivision exemption". Maez told Ms. King that the County would not consider her request until the BGPOA has given their approval first. Have not received anything from the POA in writing stating they approved this request at this time. The Board is not inclined to reduce the fees.
- Joyce Weis from Crestone Realty has contacted Connie Trujillo concerning the possibility for 2 separate landowners deeding Saguache County 2 Mobile Home Estates lots, and the County issuing them a receipt for \$1000 for their taxes. Ms. Weis is unable to sell these lots and she was wondering if Saguache County would like to have the lots to add to the lots we are holding for park/open space in the Mobile Home Estates. The lots are not in the line of lots we are holding right now. The lots only adjoin one lot that the County owns. Maez brought a map for review. Maez will do more research and report back.

<p>Joseph moved to approve the consolidation for Alexandra Felkins of Lots 1541 and 1542 in the Baca Grande Grants. Spearman seconded the motion. The vote was three Ayes.</p>

- Lot Consolidation request - Alexandra Savannah Felkins - Lots 1541 and 1542 - Baca Grande Grants. CBPC gave approval of this request during their February 13, 2008 meeting.

Mike Blenden - USFW – Cooperating Agency status

- Blenden sent a MOU to Attorney Gibbons for review and wants to address any concerns the Board may have. Pace pointed out that one section may indicate that the County may not have jurisdiction within F&W boundaries, and was not comfortable with that. Joseph

mentioned that public health, safety, emergency preparedness, and Wildlife, as covered in the County's Land Use Code were left out. The MOU was reviewed entirely and other issues were raised. Blenden was open to adding language to be reviewed by him and the USFW attorney. Blenden will have the USFW attorney communicate directly with County Attorney Gibbons on resolving these issues.

- **Deb Phenicie** a Professional Engineer presented her qualifications for the Board to review. Pace asked her to come and meet the commissioners to possibly be a resource to monitor the drilling on the Baca Refuge and/or to be involved in helping the county with its cooperating agency role. The Board asked her questions on her intent to participate in the NEPA and monitoring the drilling.

If the Board decides to hire someone to do this work, the position might have to be advertised.

Ben Gibbons - County Attorney:

Joseph moved to enter into Executive Session at 11:45 A. M. to discuss personnel matters under CRS 24-6-402(4)(f)(i) Spearman seconded the motion. The vote was three Ayes.

Joseph moved to return to regular session at 11:59 A. M. Spearman seconded the motion. The vote was three Ayes.

Melinda Myers – Saguache County Clerk:

Joseph moved to approve the Liquor License renewal for La Garita Trading Post. Pace seconded the motion. The vote was three Ayes.

- La Garita Trading Post Liquor License Renewal
- Postage Meter presentation

Adjourned for lunch at 12:08 P.M.

Meeting reconvened at 1:03 P.M.

Randal Arredondo – Road & Bridge Supervisor:

- Sent a letter to the Colorado Hwy Patrol with the Resolution about hazardous material transport on Hwy 114.
- Jim Swanson State Water Commissioner for Division Three, called to say he can not make the meeting today. He has not determined whose responsibility it is when the water overflows the ditch.
- Talked to David Toews on County Road 43.5 about paying half of the bill to open up the ditches on both sides of the road. Mr. Toews hired an excavator to do the work, which cost \$3995. Spearman also spoke to Mr. Toews and reminded him that maintenance of the ditch is his responsibility. He feels Arredondo should issue a press release to the public defining responsibilities and liability.
- Stagecoach Enterprises on County Road 43.5 will be billed for half the cost.
- Kim Weiss will need to pay for some of the work done to build an emergency berm to

- keep the water from flooding her house. Spearman will draft a letter for Arredondo to send with the bill included.
- Center Schools called to buy any old snow removal equipment. The County had an old plow which he sold to them for \$600.00.

Land Fill Supervisor:

- Arredondo wants to rent a large scraper when needed by the month to be used to dig out the pit at the landfill. This would be a big savings from getting a new dozer. Digging in the pit has really taxed the dozer, as it is not designed for such use.
- Free dump day is April 19th.

Donna Newsom - Nursing Director

- The Saguache County Employee Wellness Program officially kicked off with the “Noonliting” program which started Feb 13. The classes meet weekly for the next 12 weeks. All County employees were notified via paycheck mail out and flyers. The program is a weight loss nutrition class being sponsored by CSU Extension and SCPH. Our next offering will be “Step By Step”. This is a walking program that assists participants in walking 10,000 steps per day as a way to stay fit. This will be offered to the entire county. The Public Health staff will be submitting a county sales tax grant in order to purchase two treadmills and part time staff to assist with the fitness initiative.
- The ADAD/CPH staff presented “Communities That Care” training in Center in February. It was well attended even with the bad weather. This training is part of our grant requirement and meets the objectives spelled out in the grant implementation. The Healthy Kids Colorado surveys are complete and we are waiting for the release of the reports for the county. There will be brain development training in April. This is a requirement of our grant as well. The training will be conducted by the Regional staff. Ileen Rivale and Director Newsom will be submitting a grant proposal to the county related to securing county buy in and sustainability. This grant will increase the coordinators hours in order to be able to complete the requirements of the grant.
- The PCP Agency continues to hold a client count of 109 to 110. We have been busy ensuring that the complaint logs are current as well as the quality assurance calls. We anticipate the Medicaid Department at the State of Colorado to revisit our agency this spring. Our internal audits are being conducted routinely. This should ensure our compliance with state regulations. These internal audits were put in place last April as a means to address concerns that the audit revealed in 2007. The PCP CPR training is underway. Our goal is to have the entire PCP staff and Public Health Staff CPR certified this year. The PCP staff will be presenting a county sales tax grant on March 7, to purchase CO2/smoke detectors for our clients that do not have them. We believe this to be an important safety measure for our homebound clients.
- SCPH can now offer the new shingles vaccine for clients over sixty. This vaccine although expensive, is highly recommended as a way to prevent this virus. The vaccine is known to be safe and effective.

- Epidemiology Report: SCPH received the compliance report from CDPHE and we were in 100% compliance in our monitoring and reporting of cases within Saguache County.
- Influenza update: Influenza types A and B continue to increase in the state including the SLV. The vaccine that citizens received has only a 40% efficacy against the current strains. In past years the effectiveness is usually between 60 to 80%. CDC is encouraging those that have not received the vaccine to get a flu shot. It is not too late and the vaccine can still offer some protection. SCPH has vaccine available at no charge to those that would like to have it.
- SCPH received the results of the Emergency Preparedness site visit and the agency was found to be in compliance in all areas and progressing successfully toward completion of all activities. (See attached report) The staff has worked diligently to be prepared and to assist the public with preparing for disasters.
- Representative from the US EPA will be here on Thursday, March 6 at 10:30. They want to find out about any water issues which would affect public health.
- SB-184 is a Public Health Revitalization Bill which will mandate changes without providing funding. One thing under consideration is consolidation of county public health with other counties for better efficiency. The Board was concerned that Saguache County would have to compete for the funds from bigger counties in the Valley.
- Administration will meet with Director Newsom to discuss the financials.

Break

Andrew Archuleta – U. S. Forest Service/Bureau of Land Management

- Old Business – MOU for Saguache County as Cooperating Agency for the Baca Mountain Tract Forest Plan Amendment Environmental Analysis. The Board has approved it. Spearman reported that he was working with property owners and locals on the public lands access issues.
- BLM will be sending out a notice on Friday on the proposed Oil and Gas lease sale. The Board will put it on the agenda for a public hearing. The USFS/BLM will be holding a public meeting in Del Norte to get comment. Archuleta will report on this meeting at the next BOCC meeting and would like this meeting with the commissioners to be about this issue.
- Anderson ditch/Blanca Wetlands proposal is still being revised and parcels have been added. It still needs to be approved by the officials in Washington.

Kristy Murphy – US Forest Service/BLM:

- Report on facilities survey in the Rio Grande National Forest. Data was collected on existing facilities and what might be needed to update them, age of visitors, length of stay, and activities. The sites were ranked and the ones in Saguache County ranked number one. Maintenance budgets and ecological impact were also reviewed to help decide management plans. Some sites are being decommissioned and some improved.

Spearman commented that he would like to see if there are any partnering solutions which would keep the sites open. Penitente campground will be improved with group camping and drive up sites.

Saguache County Land Use - Title 3 Funding request public hearing

Spearman moved to approve the Title III funding request for Saguache County Land Use for Oil & Gas regulations and implementation. Joseph seconded. The vote was three Ayes.

There was no public comment.

Tom Blunt – County Veteran's officer:

Blunt reported that there are no headstones for Saguache County Veteran's in inventory and none that need to be erected at this time.

Spearman moved to approve the County assuming the responsibility for the placement of headstones for deceased veterans whose family can not afford it or have no family. Joseph seconded the motion. The vote was three Ayes.

Erin Minks – Congressman John Salazar's representative:

After the Baca Wildlife Refuge EA comment period closed, John Salazar did not have any other additional comments to make on the process. There are still opportunities for Salazar to assist the County in working with other with agencies.

Pace moved to approve the purchase of a new DM1000 Pitney Bowes postal mailing system for \$28,102.40. Joseph seconded the motion. The vote was three Ayes.

Bill Paying

Joseph moved to adjourn at 3:29 P.M. Spearman seconded. The vote was three Ayes.

Respectfully Submitted,
Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved March 11, 2008

Chairman of the Board

Attest

Commissioner

Commissioner